

MELINDA HAAG (CABN 132612)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

J. MARK KANG (NYBN 4033999)  
Special Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-7050  
Facsimile: (415) 436-7234  
E-Mail: Mark.Kang@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
JOSE CASTENEDA MORALES, )  
a/k/a Jose Manuel Casteneda-Morales, )  
a/k/a Jose Morales-Casteneda, )  
a/k/a Jose Casteneda, )  
 )  
Defendant. )

No. CR 12-0691 WHA

**STIPULATION AND ~~PROPOSED~~  
ORDER EXCLUDING TIME UNDER 18  
U.S.C. § 3161**

On October 16, 2012, the parties in this case appeared before the Court. At that time, the Court set the matter to October 30, 2012. The parties have agreed to exclude the period of time between October 16, 2012 and October 30, 2012 from any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the exclusion would allow the reasonable time necessary for effective preparation of counsel. See 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

STIPULATION & ~~PROPOSED~~ ORDER EXCLUDING TIME  
CR 12-0691 WHA

At the hearing, the Court made findings consistent with this agreement. SO STIPULATED:

MELINDA HAAG  
United States Attorney

DATED: October 30, 2012

/s/  
J. MARK KANG  
Special Assistant United States Attorney

DATED: October 30, 2012

/s/  
EDWARD HU  
Attorney for JOSE CASTENEDA MORALES

~~PROPOSED~~ ORDER

For the reasons stated above and at the October 16, 2012 hearing, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from October 16, 2012 through October 30, 2012 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). Denying the requested exclusion of time would deprive the parties of the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: October 31, 2012.

